

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ELLIOTT GUNTARP, BY AND THROUGH HIS
BROTHER, KENT GUNTARP
VS.
ITAWAMBA COUNTY SHERIFF'S DEPARTMENT
AND ITAWAMBA COUNTY, MISSISSIPPI

PLAINTIFF
NO. 1:05CV177-D-A
DEFENDANTS

DEPOSITION OF KENT GUNTARP

TAKEN AT THE INSTANCE OF THE DEFENDANTS
IN THE LAW OFFICES OF WAIDE & ASSOCIATES
332 N. SPRING STREET, TUPELO, MISSISSIPPI
ON FEBRUARY 15, 2006, BEGINNING AT 11:20 A.M.

APPEARANCES NOTED HEREIN

COPY

Reported by: KATHRYN H. BOYER, CSR #1349

ADVANCED COURT REPORTING
P.O. BOX 761
TUPELO, MS 38802-0761
(662) 690-1500

ADVANCED COURT REPORTING
(662)690-1500

EXHIBIT

tabbles

"B"

1 Q. You mentioned the stress he was under, the personal
2 problems he was having. Did you know whether he acted out or
3 was he agitated? Did he yell? How did that manifest itself
4 if you know?

5 A. It was my understanding -- and, again, this is just
6 the information I got from my family -- that the
7 manifestation of this sickness or bipolar episode at that
8 time was that he was being very irresponsible, spending
9 money, just letting the house get in complete disarray,
10 acting just irrationally, talking irrationally, just being
11 real moody. You know, that was my understanding and that's
12 the way I recall that he had gotten when he got sick.

13 Q. Was he discharged from the Army?

14 A. Yes.

15 Q. How was he discharged?

16 A. On the Section 8 for mental incapacitation or
17 whatever it is.

18 Q. And is it your understanding that as soon as he was
19 discharged, did he live in Georgia for a while or did he come
20 straight back and live with your mother?

21 A. As I recall, I agree with what he said. I think
22 when he was diagnosed and they got him on medication, he
23 tried to carry on over in Georgia.

24 Q. When he was living with Shin?

25 A. Right. But, apparently, ultimately that didn't

1 A. I don't recall exactly, but specifically, I know
2 that I saw him when he locked Mother out of the house.

3 Q. And there seems to be an understanding that that
4 date was April 1st, 2004. Do you have any reason to disagree
5 with that?

6 A. What day of the week would that have been?

7 Q. Thursday.

8 A. I suppose.

9 Q. After your mother called and told you that Elliott
10 had locked her out of the house, what did you do?

11 A. I went over there.

12 Q. And when you got there, what did you see?

13 A. He was in the house. He was at the window. Mother
14 was out in the carport and we called the police and the
15 officer from Fulton responded and eventually, he and I were
16 able to convince Elliott to let us in the house. And so, we
17 went in the house to talk to him.

18 Q. When you called the police, you called them on the
19 phone?

20 A. Yes.

21 Q. Did you go visit them? Did you go visit the police
22 too?

23 A. No.

24 Q. You just called.

25 A. I believe we just called and asked to send somebody

1 out.

2 Q. Do you know who you spoke with?

3 A. No.

4 Q. Did you speak to Ray Barrett?

5 A. I don't remember.

6 Q. Did you speak to Jerry Holder?

7 A. I didn't until he got there. I spoke to him when
8 he pulled in the driveway.

9 Q. So it's your testimony that you just don't remember
10 particularly who you talked to --

11 A. No.

12 Q. -- when you made the call.

13 A. That's correct.

14 Q. But it's your memory that it was a call rather than
15 you going to see them; is that --

16 A. As I recall, yes.

17 Q. And you've testified that Jerry Holder came to your
18 house in response to that call?

19 A. Yes.

20 Q. Did you know Jerry Holder prior to that day?

21 A. No.

22 Q. Didn't know him at all.

23 A. No.

24 Q. From the time Jerry Holder arrived, pick the story
25 up from there, what happened next?

1 A. Pretty much.

2 Q. And everything Elliott said.

3 A. Pretty much.

4 Q. Did he tell Elliott that he was going to have to go
5 to jail?

6 A. I believe he did, yes.

7 Q. What was Elliott's response to that?

8 A. Well, of course, you know, he didn't want to go.
9 He was scared. But like I say, Officer Holder was doing a
10 remarkable job on trying to explain to him that to get help
11 or to calm the situation down or to satisfy everybody that,
12 you know, there were certain things that had to be done and
13 this was one of the things in the process that had to be
14 done. And like I said, he was doing the -- I felt like he
15 did an outstanding job of getting Elliott to cooperate.

16 Q. You said that Jerry Holder explained what had to be
17 done. What did he explain had to be done to make this thing
18 happen?

19 A. Well, I think your question really was about, did
20 he tell him he had to go to jail. He made it clear to
21 Elliott that he was going to have to go and that in going, he
22 was also going to have to be handcuffed. And, you know, all
23 the things that I would imagine he felt like Elliott would
24 buck up about, he covered all of that so Elliott was in
25 agreeance rather than defiant about it.

1 an admirable job, but, you know, we were all very, very happy
2 that he didn't get sick during that.

3 Q. What precipitated your move from Georgia to
4 Mississippi in 1995?

5 A. Well, I was working for Glock and an outside
6 district sales manager position became available and because
7 Dad had passed away, I felt like it was important to get as
8 close to mom and Elliott as I could. And so, it was a way to
9 stay with the company and take an outside position and get
10 closer to them.

11 Q. I want to move now to the time frame we were
12 talking about, which is April 1, 2004, and the days leading
13 up to that. You had testified, I believe, that you saw
14 Elliott's behavior change or ramp up at least two weeks prior
15 to April 1 of 2004.

16 A. Yes.

17 Q. Did you testify that he was asking for his pastor
18 during that time?

19 A. I don't recall that. The first time I recall him
20 asking to speak to Brother Bain was when Jerry Holder and I
21 were in the living room after he had got to the house.
22 That's the first recollection I have where he specifically
23 wanted to talk to him.

24 Q. And when he asked for Brother Bain at that time,
25 did you respond in any way?

1 Q. What are some of the other things you told him at
2 that point in time?

3 A. Just generally to, you know, what Elliott's
4 sickness had been and the fact that, you know, he'd locked
5 Mother out of the house and that we were concerned for his
6 safety more than anything and that, you know, we just wanted
7 to get him in a safe environment so he could get help
8 because, you know, every time prior to that, that's kind of
9 the ways things worked. He'd get sick. We'd get him to
10 treatment. They'd get him straightened out and to follow the
11 same thing that we followed before when this happened.

12 Q. Did Officer Holder ever tell you that in order to
13 take Elliott off of y'all's hands at that moment he was going
14 to have to arrest him?

15 A. You know, he picked at us questions in regard to
16 what Elliott had done and as I recall, you know, he had a
17 conversation with Mother about, you know, threatening her and
18 did he actually assault her and this, that and the other
19 thing. And at some point in time then he turned to me and he
20 said, well, you know, let's try to go in and talk to him. My
21 assumption at that point in time was that he had made the
22 decision to take him into custody.

23 Q. Do you have any recollection of Holder specifically
24 talking to you and explaining, okay, I'm going to have to
25 arrest him but these charges will be dropped if the

1 those charges?

2 A. Well, I don't know. Like I say, he was discussing
3 that with Mother and I was talking to my wife and Elliott
4 through the window when they were having that conversation.
5 So I don't know what they -- I don't know what they
6 discussed.

7 Q. Did you hear that conversation?

8 A. No.

9 Q. Okay. Did Jerry Holder ever tell you that Elliott
10 was going to have to be housed for some duration of time,
11 whether it be an hour or days, at the Itawamba County Jail?

12 A. No.

13 Q. Did you ever hear him say that to anybody?

14 A. No.

15 Q. Including Elliott?

16 A. No, never heard him address that issue.

17 Q. But he did tell Elliott, you've testified today,
18 that you're going to have to go to jail?

19 A. Yeah. He told him he was going to have to go with
20 him and he'd have to be handcuffed, you know, and so forth.

21 Q. Did you ever tell Officer Holder that you did not
22 want Elliott arrested?

23 A. No.

24 Q. Did you have any conversation with Officer Holder
25 to that effect?

1 A. Not that I recall.

2 Q. You never spoke up and said, hey, I don't like the
3 way this is going, hold everything?

4 A. No. Quite the contrary.

5 Q. You were for this process --

6 A. Yes.

7 Q. -- as you saw it that day --

8 A. Sure.

9 Q. -- playing out before your eyes.

10 A. Absolutely. I saw it as getting some help.

11 Q. Did your mother ever tell Officer Holder not to
12 arrest Elliott?

13 A. Again, I don't -- I know you're going to talk to
14 her today. She can tell you the facts. I don't know.

15 Q. Did you hear her say that?

16 A. I did not.

17 Q. How did Officer Holder convince Elliott to go with
18 him?

19 A. He was just very professional. He was very calm,
20 very professional trying to explain -- reassure Elliott,
21 empathizing with him, telling him that he was concerned for
22 his safety. I mean, he was saying calming things and
23 friendly things to gain his trust, I think, and reassuring
24 him and, you know, he was getting Elliott calmed and
25 cooperative.

1 occurred, it was, like, thank God, now we can get him to
2 Jackson.

3 Q. Do you know of Elliott going to court only one time
4 prior to being sent down to Jackson?

5 A. I was only in there one time, yes, sir.

6 Q. Okay. Is that your understanding that that's the
7 only time Elliott went to court?

8 A. Yes, sir.

9 Q. Okay.

10 A. Unless they brought him back to finalize or sign
11 this, I don't know. I was only there one time. It's my
12 understanding he only went one time.

13 Q. And you mentioned you were present and Sandra was
14 present.

15 A. And my wife was present.

16 Q. Judy?

17 A. Yes.

18 Q. And was Phyllis present?

19 A. Yes.

20 Q. Did you hear Elliott say in court that day that
21 Mr. Massur -- Dr. Massur over at Region III was fooling
22 around with young boys?

23 A. I don't recall the exact statement, but prior to
24 Elliott going up there were some other mental patients in
25 there with him and they got on a tangent about that; that he

1 had propositioned them and we were talking amongst ourselves
2 in the bench there and, you know, it appeared to us that they
3 were basically trying to hammer the doctor and they were
4 throwing all kinds of accusations and Elliott chimed in and
5 participated in that. I don't know what the exact remark
6 was, but it had a sexual connotation and it was directed
7 toward one of the doctors. And like I say, in our opinion,
8 it was a response where he was kind of chiming in with the
9 rest of the people there that were making -- because there
10 were people before him that made direct accusations that this
11 doctor had propositioned them, but, yes, I did hear that.

12 Q. The next document I want to show you is titled
13 Order of Commitment. It will be Exhibit Number 11.

14 (Thereupon, the document referred to was
15 marked as Exhibit No. 11)

16 Q. Is this the first time you've seen that document?

17 A. Yes, sir.

18 Q. Do you have any reason to disagree with its
19 contents?

20 A. No, sir.

21 Q. And do you have any reason to dispute the date
22 shown on the bottom, which is April 7th of 2004?

23 A. No, sir.

24 Q. The next document I want to show you is titled
25 Amended Order of Commitment.

1 A. I do not.

2 Q. Do you know anything about how that went down?

3 A. I do not.

4 MR. LATIMER: Ron, let me confer with Berk.

5 (After a recess the deposition continued as
6 follows:)

7 Q. (Mr. Latimer) Ken, we've got medical records from
8 Elliott's treatment at the VA hospital and one of our records
9 showed that you took part in a meeting on August 19th, 2004.
10 It was an outpatient meeting where you conversed with Calvin
11 Watson and some of his treating physicians and psychiatrists
12 and counselors down there.

13 A. (Witness nods head up and down)

14 Q. And in those records you tell them that Elliott on
15 August of '04 was under stress -- additional stress because
16 he was in the process maybe getting a divorce. Do you
17 remember that conversation?

18 A. Yes.

19 Q. Those records don't reflect that you said anything
20 about Elliott's stay in the Itawamba County Jail. Did you
21 mention that at that time?

22 A. Well, I kind of sort of think they knew that.

23 Q. Well, the records don't reflect that you mentioned
24 Itawamba County Jail being a stressor in Elliott Guntharp's
25 life.

1 A. No. I think as you indicated, we were -- we try --
2 or at least I do when I talk to Calvin Watson, he always asks
3 the family members what we think, how's Elliott doing, and so
4 forth and so on. And in my opinion, I think that might have
5 been a trigger. I think the divorce thing, you know, very
6 well could have been what triggered this last episode, but
7 it's very common for us to -- like I said, my assumption is
8 they knew why he was down there.

9 Q. But you didn't discuss the Itawamba County Jail
10 with him at that point.

11 A. I don't recall. And if you have the record, then
12 you have the record, but I haven't seen it.

13 Q. Elliott testified earlier today about -- I don't
14 know if I want to call it faulty perception or paranoia, but
15 sometimes thinking things are there that are not and thinking
16 people are after him when they're not and that causing him
17 fear. Did you hear him say that?

18 A. Yes, I did.

19 Q. Did I accurately state what his testimony was in
20 that area?

21 MR. WOODRUFF: Object to the form.

22 Q. (Mr. Latimer) From your remembrance?

23 A. The only thing in my mind, knowing him as his
24 brother and around him as a family member, that I think would
25 provide any additional clarity to that so there's no

1 Q. When he was confiding with Sandy in the back room,
2 was your mother in there?

3 A. I don't remember.

4 Q. Do you remember any family members being in there
5 other than Sandra?

6 A. I don't.

7 Q. Do you know whether Elliott complained to Sandra
8 about jail conditions at that time?

9 A. I believe he did. I believe she told us that he
10 explained to her some of the things that he felt like had
11 been nightmarish to him or felt -- he felt like he'd been
12 tortured.

13 Q. And nobody in your family brought those concerns
14 before Judge Mask that day, did you?

15 A. We specifically and in a detailed fashion outlined
16 it to his attorney and asked her to do whatever she could to
17 see that this stopped immediately or did not continue. We
18 asked her to please contact whoever she needed to contact.

19 Q. Did she tell Judge Mask Elliott was being
20 mistreated in the jail?

21 A. I don't know.

22 Q. You were in the room. You were in the room, were
23 you not?

24 A. In --

25 Q. The courtroom?

1 MR. WOODRUFF: Object to form.

2 A. Oh, yes, sir.

3 Q. (Mr. Latimer) Did you hear her tell Judge Mask
4 that Elliott had been mistreated or mishandled in some way in
5 the Itawamba County Jail?

6 A. No, sir, I did not.

7 Q. Did you or any of your family members tell Judge
8 Mask that at that time?

9 A. We were not given an opportunity to speak to the
10 judge.

11 MR. LATIMER: We're done.

12 MR. WOODRUFF: I've just got a few questions.

13
14 EXAMINATION

15 BY MR. WOODRUFF:

16 Q. Kent, you worked as a police officer for
17 approximately 18 years?

18 A. I've been involved in law enforcement literally
19 from the time I was in college. I was a cadet at a local
20 police department in the summers in between school and
21 semesters. I worked at police departments and I continued to
22 do that until I went to work for the Glock Pistol Company 12
23 years ago. That's all I've ever done is things that --
24 associated with law enforcement.

25 Q. In fact, I believe you finished -- you got your

STATE OF MISSISSIPPI

COUNTY OF

Itawamba

EXHIBIT

5X Guntzarp
2-15-06

Personally appeared before me, the undersigned Chancery Clerk:

of ITAWAMBA

County, Mississippi, the within named

PHYLLIS GUNTZARP

who being first by me duly sworn,

(name of affiant)

makes oath and deposes that:

1. Affiant (is) (is not) a relative ofELLIOTT L. GUNTZARP

being a

(name of person in need of mental treatment)

MOTHER

of said person; affiant is an adult resident

of ITAWAMBACounty, Mississippi and affiant (is) (is not)financially able to post the sum of \$ \$180.00, a reasonable sum for court costs.2. ELLIOTT L. GUNTZARP is a resident of ITAWAMBACounty, Mississippi, or is now found in ITAWAMBA County,

Mississippi and is a person mentally ill as defined by law, and poses a substantial likelihood of physical harm to him/herself or others as a result of a recent attempt or threat to physically harm him/herself or others; or by a failure to provide necessary food, clothing, shelter or medical care for him/herself.

3. (A) The behavior tending to prove said person's mental illness are:

(include a factual description of the patient's recent behavior, including a description of the behavior, where it occurred, and over what period of time it occurred. State facts, rather than opinions or conclusions to which there were witnesses as named in the next section.) ELLIOTT HAS BECOME EXTREMELYHOSTILE, AGGRESSIVE & VIOLENT IN DEMEANOR TOFAMILY MEMBERS. HE IS MAKING THREATS ANDHAS ASKED FAMILY MEMBERS TO GET HIM A GUN.HE IS ENRATIC IN HIS BEHAVIOR, EXHIBITINGDEFIANT & CONFRONTATIONAL ATTITUDES TOWARDEVERYONE HE COMES IN CONTACT WITH. HE IS THREATENINGTO LEAVE THE STATE AND HAS WITHDRAWN UNUSUAL SUMS OF
MONEY FROM THE BANK. HE REFUSED MEDICAL TREATMENT

30th day March

page

Recorded in M.B.

JIM WITT, Clerk

behavior described above:

NAME (BROTHER)	ADDRESS
KENT GUNTARP	507 N. HUSDALE DR. TUPELO, MS 38804
SANDY GUNTARP (SISTER-IN-LAW)	39930 N. DEWEY ST. SPRING LAKE, IL 60081

The nearest kin or the guardian of said person is: PHYLLIS GUNTARP
(name)
who is the MOTHER of said person
(degree of kinship)
whose address is 102 BUENA VISTA DR. FULTON, MS 38843 or (affiant has made diligent inquiry but has been unable to discover the name and address of the nearest kin or guardian of the person alleged to be in need of mental treatment.

4. Affiant understands that the law provides that costs of the proceeding, (including, but not limited to court costs, prehearing hospitalization costs, costs of transportation, reasonable doctor and psychologist fees and reasonable attorney fees) shall be taxed to affiant if said person is found not to be in need of mental treatment.

5. Affiant has not unlawfully conspired to, has not unlawfully caused and does not hereby seek to unlawfully cause the name person to be adjudicated mentally ill or as incompetent or to be detained at or admitted to hospitalization at any Mississippi mental institution or hospital.

WHEREFORE, affiant requests that ELLIOTT L. GUNTARP be committed to the least restrictive treatment facility that can meet said person's treatment need as in accordance with Mississippi Code S41-21-65.

Phyllis Guntharp
(signature of affiant)

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of March, 2004

[Signature]
CHANCERY CLERK

DEPUTY CLERK 000002

ELLIOTT L. GUNTHERP

Alleged Lunatic

NO. _____

PHYLLIS GUNTHERP

Affiant:

In accordance with Section 6909-03 of the Mississippi Code of 1942 as Amended and in the interest of ELLIOTT L. GUNTHERP the above alleged lunatic, person insane, feeble-minded, idiotic or suffering from any other mental or nervous condition, affliction or disorder to such an extent that such person be or is likely to become dangerous or a menace if left at large, I, PHYLLIS GUNTHERP, a relative of the above named lunatic, being related to them as a MOTHER, or I, _____ a citizen of the State of Mississippi, and not related to the above named lunatic make the following AFFIDAVIT FOR COMMITMENT, said affidavit being that prescribed as outlined in Section 1574 of the Mississippi Code of 1942, as follows, to-wit:

AFFIDAVIT FOR COMMITMENT

STATE OF MISSISSIPPI, County of Itawamba

I, PHYLLIS GUNTHERP, do solemnly swear that I am a citizen of the State of Mississippi, and because of my poverty I am not able to pay the costs or give security for the same in the suit, above styled, which I am about to commence or have in fact commenced, and that to the best of my belief, I am entitled to the redress which I seek by such suit. I hereby make this affidavit, in lieu of the required cost of this hearing, which is the cost required to be deposited with the Chancery Clerk for the hearing, exclusive of mileage paid to the sheriff for transporting the person to the proper institution.

Given under my hand and seal this the 30th day of March 2004
102 AVENA VISTA DR. FULTON, MS 38843
 (Address)

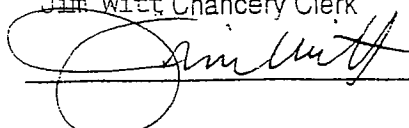
Phyllis Guntherp
 (Affiant's Signature)

STATE OF MISSISSIPPI, County of Itawamba

Before me this date, Jim Witt, Chancery Clerk, Ita. County, Mississippi, personally appeared

Phyllis Guntherp affiant, in the above cause and affirms that said affidavit is made under oath.
This the 30th day of March, 2004

Jim Witt Chancery Clerk



000003

MEDICAL HISTORY

Family Physician DR. TIM EVANS Telephone _____

Current medications or drugs _____

PHYSICAL CONDITIONS

Diabetes.....	T.B.
Hypertension....	Convulsions..
Emphysema/COLD..	Cancer.....
V.D.	Other chronic illness
Heart Condition.	(please state)

PERSONAL AND FAMILY HISTORY

Name of Father: DECEASED Name of Mother: PHYLLIS (MACIARY) GUNTARP
 (Full Name) (Maiden Name)

Name of Spouse SAN Number of Dependents 0How many in Household ? 2PROBLEM APPRAISAL: (Circle all which apply)PHYSICAL FUNCTION
DISTURBANCE

- ① Sleep
 2 Eating
 3 Enuresis, soiling
 4 Seizures,
 Convulsions
 ⑤ Emotional
 6 Speech Articulation
 problems

INTELLECTUAL
DEVELOPMENT

- 7 Hearing
 Disabilities
 ⑧ Mental
 Retardation

SOCIAL RELATIONS
DISTURBANCE

- 9 With Child
 ⑩ With Mate, Spouse
 ⑪ With other Family
 ⑫ With other people

SOCIAL PERFORMANCE
DISTURBANCE

- 13 Job
 14 School
 15 Housekeeping
 ⑩ Behavioral

OTHER SIGNS & SYMPT.

- 17 Suicidal Thoughts
 18 Suicidal Gestures
 ⑪ Anxiety, Fears, Phobias
 ⑫ Stop taking Medication
 ⑬ Management Problems
 at home
 ⑭ Obsessions, Compulsions
 ⑮ Depressed Mood,
 inferiority
 24 Somatic Concerns
 25 Social Withdrawal,
 isolation

- 26 Dependency, Clinging
 27 Grandiosity
 ⑯ Suspicion, Persecution
 29 Grandiosity
 ⑰ Delusions
 ⑱ Anger, Belligerence
 Negativism
 32 Assaultive Acts
 33 Sexual Problems
 ⑲ Anti-Social Attitudes, Acts
 35 Agitation, Hyperactivity
 36 Disorientation, Impaired Memory
 37 Speech Disorganization
 38 Slowed Up, Lack of Emotion
 ⑳ Inappropriate, Affect Behavior
 40 Daily Routine Leisure Time
 Impairment
 41 Psychomotor Retardation (Catatonic)

Phyllis Guntharp
 SIGNATURE

3/30/04
 DATE
 000004

PATIENT INFORMATION

Patient Name: ELIOT LEE GUNTHER Social Security No. _____

First Middle Maiden Last

Address: 102 BUENA VISTA DR. FULTON, MS 38843Home Phone: 662-862-9370 Work Phone: _____ DOB: 3/22/60 Sex: MALERace: 1. ASIAN 2. BLACK/AFRICAN AMERICAN 3. NATIVE AMERICAN INDIAN 4. ALASKAN NATIVE 5. WHITE/CAUCASIAN 6. OTHER _____Religion: 1. BUDDHIST 2. CATHOLIC 3. HINDU 4. ISLAMIC 5. JEWISH 6. PROTESTANT/BAPTIST 7. PROTESTANT/METHODIST
(Circle One) 8. PROTESTANT/OTHER 9. CHRISTIAN SCIENTIST 10. JEHOVAH'S WITNESS 11. UNKNOWN 12. NONE 13. OTHER _____County of Residence: TAYLOR County of Commitment: _____

CLIENT DEMOGRAPHICS

Marital Status: 1. DIVORCED 2. MARRIED 3. SEPARATED 4. SINGLE 5. UNKNOWN 6. WIDOWEDLiving Arrangement: 1. LIVES ALONE 3. WITH PARENTS 5. WITH CHILDREN 7. WITH RELATIVES 9. WITH OTHERS (Please State)
(Circle One) 2. WITH SPOUSE 4. WITH ONE PARENT 6. WITH SIBLINGS 8. WITH LEGAL GUARDIAN _____Residential Arrangements: 1. PRIVATE RESIDENCE 3. HOMELESS 5. COMMUNITY PROGRAM 7. OTHER:
(Circle One) 2. OTHER INDEPENDENT RESIDENCE 4. INSTITUTION 6. CORRECTIONAL FACILITY _____Education: (Circle highest level completed) 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18Veteran: YES

CURRENT BACKGROUND INFORMATION

Birth Country U.S.A. State WISCONSIN County KENOSHA City KENOSHALanguage ENGLISH U. S. Citizen YES MS Citizen YES

Hispanic: 1. CUBAN 2. MEXICAN 3. PUERTO RICAN 4. OTHER HISPANIC _____

Employment N/A Occupation _____Criminal History N/A Charges Pending Yes _____ No _____

PHYSICAL IMPAIRMENT (Please circle all that apply)

01 DEAFNESS AND BLINDNESS	05 AMBUL. ONLY W. ASSIST. DEVICE	97 OTHER PLEASE SPECIFY: _____
02 DEAFNESS/SEVERE HEARING LOSS	06 UNABLE TO COMMUN. W/VERB. SPCH	
03 BLIND/SEVERE VISION LOSS	07 TRAUMATIC BRAIN INJURY	98 UNKNOWN
04 NONAMBULATORY	08 MAJOR MEDICAL CONDITION	99 NOT APPLICABLE

INSURANCE INFORMATION

Medicare Number: _____ Medicaid Number: _____

Third Party: _____ Name of Insured: _____

Insurance Company: _____ Name of Employer: _____

Contract Number: _____ Group Number: _____

If Veteran, list amount of compensation: 100 %

000005

CORRESPONDENTCorrespondent Name: PHYLLIS GUNTHERAddress: 102 BUENA VISTA DR. FULTON, MS 38843Phone No: 662-862-9370 City: _____ State: _____ Zip: _____
Relationship to Patient: MOTHER

Name of additional contacts: _____

Address: _____

Phone No: _____ City: _____ State: _____ Zip: _____
Relationship to Patient: _____PRIOR TREATMENT (Please circle facility and state dates)

- | | |
|-------------------------------|--|
| 0. None | 6. Alcohol/Drug Trmt. Ctr. _____ |
| 1. Unknown | 7. Community MH Ctr. _____ |
| 2. MS State Hosp. _____ | 8. Institution for Mentally Ret. _____ |
| 3. E MS State Hosp. _____ | 9. Other Psychiatric Facility _____ |
| 4. V. A. Hosp. <u>WARRANT</u> | 10. Other _____ |
| 5. General Hosp. _____ | |

STANCE ABUSE (Please state if known)

Alcohol _____ Drugs _____

ADMITTED FROM

Please indicate where the patient is being held prior to admission.

Home _____ Hospital _____ Jail _____ Other _____

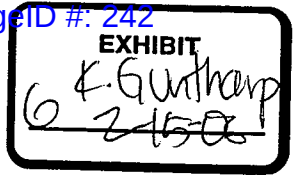
WEEKLY FAMILY INCOME
(circle one)

- | | | | |
|----------------------|------------------|------------------|---------------|
| 0. Public Assistance | 2. \$50 - \$99 | 4. \$150 - \$199 | 6. Over \$300 |
| 1. Below \$50 | 3. \$100 - \$149 | 5. \$200 - \$299 | 7. Unknown |

x Phyllis Gunther
SIGNATURE

3/30/04
DATE

000006



IN THE CHANCERY COURT OF ITAWAMBA COUNTY, MISSISSIPPI

APPOINTMENT OF PHYSICIAN/PSYCHOLOGIST

TO _____

An affidavit having been made by Phyllis Guntharp that one Elliott L. Guntharp is in need of mental treatment, you are hereby appointed and directed to make a full inquiry into the mental condition of and make a mental examination of such person at Region III Mental Health within twenty-four (24) hours of this notice.

You are further ordered, at the beginning of the examination to tell said _____ in plain language of the purpose of the examination, its possible consequences, and his/her right to refuse to answer questions; and to have his/her lawyer present; and to report your findings in writing within the time set by law to _____ of the Chancery Court.
(Clerk or Chancellor)

GIVEN UNDER MY HAND AND OFFICIAL SEAL, AND ISSUED THIS THE

14 DAY OF April, 2004, AT 4:00 (AM)(PM).

Reguelene Este Med
CHANCELLOR

PAGE 8

000007

Filed 2nd day April 2004
Recorded in M.B. 98 page 389
JIM WITT, Clerk



IN THE CHANCERY COURT OF ITAWAMBA COUNTY, MISSISSIPPI

TO THE CHANCERY CLERK OF ITAWAMBA COUNTY

ORDER

You will issue the order to take said person Elliott L. Guntharp
into custody and transport him to the Mental Health
Complex for an examination.

20 04. ORDERED, ADJUDGED AND DECREED, this the 1st day of April,

Reginald E. Moss
CHANCELLOR

000008

PAGE 9

Filed 2nd day April of 2004
Recorded in M.B. 98 page 390
JIM WITT, Clerk

EXHIBIT

8 K. Guntharp
2-15-06WRIT TO TAKE CUSTODY

To the Sheriff of Itawamba County

An affidavit having been made, alleging that one Elliott L. Guntharp
 now in your County, is mentally ill you are hereby commanded to immediately take
 said person into your custody and place (her)(him) at _____
 and retain custody of said person until further ordered of the undersigned, so the
 (she)(he) may be examined according to law by those duly appointed by the
 (clerk)(chancellor). You shall report hereon of your compliance herewith and file
 same with the Clerk of this Court.

Given under my hand and official seal, this the 18 day of April,
 20 04, at 4:00 (AM)(PM).

Magdalene Este Mas
 (CHANCELLOR) (CHANCERY CLERK)

Custody Taken: _____, 20 ____ at _____ (AM)(PM)

Delivery to : _____
 at _____ (AM)(PM) _____, 20 ____.

Persons present at the time and place of taking custody (preferably relatives):

NAME	ADDRESS
_____	_____
_____	_____

 SHERIFF

By _____

PAGE 11

000009

Filed 2nd day of April, 2004
 Recorded in M.E. 98 page 351
 JIM WITT, Clerk

CERTIFICATE OF EXAMINING PHYSICIAN / PSYCHOLOGIST

EXHIBIT

K. Guntharp
9/2/15/06

I (We), L. W. W. W. and J. T. Goff
do hereby certify that the 2nd day of April, 19 2007
we conducted an examination of Elliott L. Guntharp
of Itawamba Co, Mississippi, the report of which is attached to
this certificate.

I (We) do further certify that recent behavior of said Elliott L. Guntharp
has included:

- ☒ grossly disturbed behavior/faulty perceptive
☒ substantial likelihood of physical harm as manifested by:
☐ recent threat or attempt to physically harm self or others
☐ failure to provide necessary care for self

In my (our) opinion, Mr. Guntharp (does not pose) poses a
substantial likelihood of physical harm to (him) (her) self or others and should (should not) be
committed to a treatment facility. The reasons for our opinion are as follows:

Client declines exam. Hx from family & deputies
suggests acute psychosis, disorganization &
severe aggression in home. Needs continued tx.

So certified this the 2nd day of April, 19 2007

L. W. W. W.
NAME

clinical / public
TITLE

J. T. Goff
NAME

psychiatrist
TITLE

He asks to await a preacher for the exam.
History of severe mental illness need for tx
to be continued & committed

Filed

5th day April 2007

Recorded in M.E. _____ page _____
JIM WITT, Clerk

IN THE Chancery COURT OF Itawamba COUNTY
(TYPE OF COURT) (NAME OF COUNTY)RE: Elliott L. GuntharpCAUSE NO. 05-0119 SERVICE CODE 1407 UNITS OF SERVICE 8 DATE 4-2-04Respondent having been evaluated and pre-screened for commitment pursuant to M.C.A. Section 41-21-67, Region III
Mental Health Center offers the following:Legal Charges Pending Yes ☐ No ☒

PERSONAL DATA INFORMATION

NAME: Elliott L. Guntharp SOCIAL SECURITY NO. 361-58-4531 DOB 3/22/60RACE: C MARITAL STATUS: ☐ Single ☒ Married ☐ Divorced ☐ Widowed SEX: ☒ Male ☐ FemaleADDRESS: 102 Buena Vista Dr.
Fulton MS 38843
662.862.9370NAME OF SPOUSE/NEXT OF KIN: Phyllis Guntharp COUNTY OF RESIDENCE: Itawamba
MEDICAID # No MEDICARE # 361-58-4531 AEDUCATION (Circle Highest Grade Completed) 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 GEDOCCUPATION: Disabled PRESENTLY EMPLOYED ☐ Yes ☒ NoEMPLOYER: None LENGTH OF EMPLOYMENT: 14 years 0 months

HOUSEHOLD COMPOSITION (Mark All That Apply)

☐ Lives Alone ☐ With Siblings ☐ With Parents ☐ With One Parent ☐ With Children
☐ With Spouse ☐ With Relatives ☐ With Legal Guardian ☐ With Others ☐ Others _____

NUMBER OF DEPENDENTS (S): _____

NAME OF AFFIANT (Person Filing Papers)

Name: Phyllis Guntharp Relationship: Mother Phone: (H) _____ (W) _____Address: Same City _____ State _____ Zip Code _____

FAMILY CONTACT

Name: Same Relationship: _____ Phone: (H) _____ (W) _____

Address _____ City _____ State _____ Zip Code _____

PERSON WITH LEGAL CUSTODY, GUARDIANSHIP, and/or Conservatorship

Name: SELF Relationship: _____ Phone: (H) _____ (W) _____

Address: _____ City _____ State _____ Zip Code _____

PREVIOUS MENTAL HEALTH, HOSPITALIZATION, SERVICES, AND TREATMENT (List Where & When)

VA system; Region III MHC

CURRENT MEDICATIONS (List Name and Dosage)

Name	Dosage
OK med's & no informant	

COMPLIANT WITH MEDICATIONS: ☐ Yes ☒ No ☐ UnknownALLERGIES ☐ Yes ☐ No If Yes, Explain

Pt. refuses to be interviewed

PREVIOUS SURGERY: ☐ Yes ☐ No If Yes, Explain

CONCURRENT PHYSICAL CONDITIONS (Mark all that apply) No hx available

- | | | | |
|--|--|--|-----------------------------------|
| <input checked="" type="checkbox"/> Diabetes | <input type="checkbox"/> Emphysema/Cold | <input type="checkbox"/> Heart Condition | <input type="checkbox"/> Seizures |
| <input type="checkbox"/> Hypertension | <input type="checkbox"/> S.T.D. | <input type="checkbox"/> TB | <input type="checkbox"/> Cancer |
| <input type="checkbox"/> Contagious Disease | <input type="checkbox"/> Other Chronic Illness | <input type="checkbox"/> (Please State) | |
| <input type="checkbox"/> Hepatitis | | | |

Elaborate on acute medical conditions of conditions marked (if needed)

FAMILY PHYSICIAN: Dr. Tim Evans

DESCRIBE BEHAVIORS EXHIBITED BY RESPONDENT. Also consider information from affiant and/or affidavit.
(Mark appropriate answer and/or write in additional pertinent descriptions.)History or Present Danger to Self ☒ Yes ☐ No (If Yes, Mark Appropriate Statements Below)

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Thoughts of suicide | <input type="checkbox"/> Threats of suicide | <input type="checkbox"/> Plan for suicide | <input type="checkbox"/> Pre-occupation with death |
| <input type="checkbox"/> Suicide gesture | <input type="checkbox"/> Suicide attempts | <input type="checkbox"/> Family history of suicide | <input type="checkbox"/> Self-mutilation |
| <input type="checkbox"/> Inability to care for self | <input checked="" type="checkbox"/> High risk behavior | <input checked="" type="checkbox"/> Provoking harm to self from others | |
| <input type="checkbox"/> Other | | | |

Describe: Family reports his behavior is extremely provocative

- ☒ Thoughts to harm others ☒ Threats to harm others ☐ Plans to harm others
☒ Attempts to harm others ☐ Stalking ☐ Has harmed others ☐ Possession of weapon
☐ Felt like killing someone ☐ Inability or unwillingness to care for dependents
☐ Other _____

Describe Family reports he is menacing & asking for a gun - resisting deputies

Failure to Care for Self ☒ Yes ☐ No (If Yes, Mark Appropriate Statements Below)

Failure or inability to provide necessary: ☒ Food ☒ Clothing ☒ Shelter ☒ Safety ☒ Medical care for self
☐ Other Acute/psychotic

Antisocial/Criminal Behavior ☐ Yes ☒ No (If Yes, Mark Appropriate Statement Below)

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Frequent lying | <input type="checkbox"/> Stealing | <input type="checkbox"/> Running away from home | <input type="checkbox"/> Excessive fighting |
| <input type="checkbox"/> Destroys property | <input type="checkbox"/> Fire setting | <input type="checkbox"/> Cruelty to other | <input type="checkbox"/> Cruelty to animals |
| <input type="checkbox"/> Arrests | <input type="checkbox"/> Gang membership | <input type="checkbox"/> Brandishing weapons | <input type="checkbox"/> Convictions |
| <input type="checkbox"/> Imprisoned | <input type="checkbox"/> Promiscuity | <input type="checkbox"/> Exhibitionism | <input type="checkbox"/> Family desertion |
| <input type="checkbox"/> Uses assumed name | <input type="checkbox"/> Identify any legal charges which may be pending | | |

☐ Other _____

Describe: _____

Drug Use/Abuse ☐ Yes ☒ No (If Yes, Mark Appropriate Statement Below)

- | | | | | | |
|---|-------------------------------------|--|---------------------------------------|---|--|
| <input type="checkbox"/> Has abused | <input type="checkbox"/> Is abusing | <input type="checkbox"/> Narcotics | <input type="checkbox"/> Amphetamines | <input type="checkbox"/> Barbiturates | <input type="checkbox"/> Hallucinogens |
| <input type="checkbox"/> Cocaine | <input type="checkbox"/> Marijuana | <input type="checkbox"/> Absenteeism | <input type="checkbox"/> Job loss | <input type="checkbox"/> Arrests | |
| <input type="checkbox"/> Has required hospitalization | | <input type="checkbox"/> Family problems due to drug use | | <input type="checkbox"/> Currently under the influence of drugs | |
| <input type="checkbox"/> High-risk behavior occurs primarily when under influence of drug-seeking | | | | | |

☐ Other _____

Describe: No hx

Alcohol Use/Abuse ☐ Yes ☒ No (If Yes, Mark Appropriate Statement Below)

- | | | |
|---|--|--|
| <input type="checkbox"/> Drinking problem suspected | <input type="checkbox"/> Intoxicated now | <input type="checkbox"/> Has required hospitalization |
| <input type="checkbox"/> D.T.'s | <input type="checkbox"/> Black-outs | <input type="checkbox"/> Absenteeism |
| <input type="checkbox"/> Job loss | <input type="checkbox"/> Arrests/DUI | <input type="checkbox"/> Family problems due to drinking |
| <input type="checkbox"/> Currently under the influence of alcohol. (BAL, if available.) | | |

☐ High-risk behavior occurs primarily when under the influence of alcoholic beverages, including beer.

☐ Other _____

Describe: No hx

- ☐ Sadness ☐ Fatigue ☐ Hypoactive ☐ Low energy ☐ Loss of interest
☐ Crying ☐ Poor Concentration ☐ Extreme Withdrawal ☐ Weight loss or gain ☐ Guilt feelings
☐ Feelings of worthlessness ☐ Hopelessness about the future
☐ Thoughts/threats of suicide ☐ Sudden drop in grades or change in friends (especially in adolescents)
☐ Other _____
 Describe: _____

- Manic-Like Behavior ☐ Yes ☒ No (If Yes, Mark Appropriate Statement Below)
- ☐ Euphoria ☐ Hyperactivity ☐ Over talkativeness and/or pressured speech ☐ Grandiosity
☐ Irritability ☐ Sexual promiscuity ☐ Sleep disturbance ☐ Extravagance with money
☐ Other _____
 Describe: _____

- Psychotic-Like Behavior ☒ Yes ☐ No (If Yes, Mark Appropriate Statement Below)
- ☒ Poor personal hygiene ☒ Loose Association ☐ Suspiciousness ☐ Bizarre or obscene acts
☒ Flat or inappropriate affect ☐ Withdrawn ☐ Incoherence ☐ Unmanageable
☒ Talks often ☐ Disorientation ☐ Wanders off ☐ Illusions
☒ Disorganized speech or behavior (time, place, people) ☐ Delusions
☐ Doesn't make sense ☐ Irritability ☐ Hallucinations
☐ Forgetfulness ☐ Emotional turmoil ☒ Poor judgement
☐ Confusion

☐ Other _____
 Describe: Family describes antet psychotic level disorganization as delusory

- Dementia-Like Characteristics ☐ Yes ☒ No (If Yes, Mark Appropriate Statement Below)
- ☐ Confusion ☐ Disorientation ☐ Wanders off ☐ Impaired judgement ☐ Getting lost
☐ Absent-mindedness ☐ Impaired abstract thinking ☐ Significant short-and/or long term memory impairment
☐ Decline in activities of daily living (Consider age of respondent)
☐ Other _____
 Describe: _____

CHILD/ADOLESCENT CONDUCT DISTURBANCE: (Current Behavior or During Childhood) ☐ Yes ☒ No
 (If Yes, Mark Appropriate Statement Below)

- ☐ Theft ☐ Fire-setting ☐ Cruelty to people ☐ Cruelty to animals
☐ Aggression ☐ Sexual Misconduct ☐ Arrest/detainment ☐ Combativeness/aggression
☐ Refusal to attend school ☐ Running-away behavior ☐ Defiance of authority and rules
☐ Possession/Use of weapons ☐ Destruction of property
☐ Other _____

Mental Retardation ☐ Yes ☒ No (If Yes, Mark Appropriate Statements Below)

- ☐ History of special education placement ☐ Documented IQ below 70
☐ Inability to care for self or activities of daily living ☐ Significantly subaverage intellectual functioning before age 18
☐ Substantial limitations in adaptive skills (communication, self-care, home living, social skills, community use, self-direction, health and safety, leisure and work)
☐ Other _____

Other ☐ Yes ☒ No (If Yes, Mark Appropriate Statement below)

- ☐ Anxiety ☐ Panic ☐ Eating disorders ☐ Sexual disorders ☐ Impulsive disorders
☐ Obsessive disorders ☐ Other: _____

RECOMMENDATIONS

Examination for Commitment: ☒ Yes ☐ No

If yes, is outpatient commitment currently an option for the respondent: ☐ Yes ☒ No Explain: _____

Behavior too aggressive by respondent

If no, explain why outpatient commitment is not an option for the respondent:

SPONTANEOUS CONVERSATIONS and/or Commitment Options

WMSH or VA if it can be arranged

Louis Masuati, III
 Signature of Screener/Credentials

4-2-04
 Date

Louis Masuati, III
 Print Name

EXHIBIT

K. Guntharp
10 2-15-06

IN THE CHANCERY COURT OF ITAWAMBA COUNTY, MISSISSIPPI

RE: IN THE MATTER OF
THE COMMITMENT OFNUMBER 2004-00119Elliott GuntharpWAIVER OF HEARING

COMES NOW, Michele H. Floyd, the Court appointed attorney
for Elliott Guntharp, alleged to be in need of inpatient commitment
for mental treatment, and does hereby knowingly and voluntarily, and with the informed
consent of the Respondent, waive the need for the hearing. The Respondent is not under
the influence of drugs or medication or other treatment that has hampered the decision to
waive the hearing, and does so for the following reason(s):

he cannot care for his himself and is
making threats to family members

By executing and filing this Waiver, the Respondent understands that an order of
commitment will issue pursuant to law.

Witness my signature, this the 7th day of April, 2004

Michele H. Floyd
ATTORNEY FOR RESPONDENT

Approved by:

Elliott GuntharpSWORN TO AND SUBSCRIBED BEFORE ME, on this the 7th day ofApril, 2004

NOTARY PUBLIC

Filed

7th day of April 2004My Commission Expires: 1-1-2008Recorded in M.B. 98 page 432

JIM WITT, Clerk

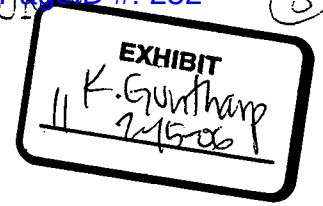
Approved by the Court on this the 7th day
of April, 2004.

000017

Jacqueline Este Mask

IN THE CHANCERY COURT OF ITAWAMBA COUNTY

STATE OF MISSISSIPPI



IN THE MATTER OF:

Elliott GuntharpNO 2004-0119

ALLEGED TO BE MENTALLY ILL

ORDER OF COMMITMENT

This matter having come on for hearing, according to law, and the court having found as follows:

I.

The Respondent (~~was present at the hearing~~) (intelligently and knowingly waived a hearing with the approval of the court) (~~was unable to attend the hearing for the following reasons:~~ _____

II.

The court has jurisdiction over the subject matter and all necessary parties.

III.

The court (~~received a record of all drugs or other treatment received by the Respondent pending the hearing~~) (has determined that an accurate record of drugs or medication is not practical for the following reasons: Respondent executed a Waiver

IV.

The respondent was not so under the influence of drugs, medication or other treatment as to be hampered in participating in the proceedings.

000018

V.

The Respondent has recently threatened ~~attempted to physically harm him/herself/others:~~ _____

Filed 7th day April 2004Recorded in M.B. 98 page 433 435

The respondent has recently failed to care for him ~~himself~~ _____

VI.

The Respondent, by clear and convincing evidence is a mentally ill person who poses a substantial likelihood of physical harm to him ~~himself~~ or others.

VIII.

The following (out - patient care) (alternative living arrangements) (other) has (have) been considered as alternatives to institutionalization and have been found (not) suitable for the following reasons: based upon the doctor's report and the execution of a waiver, there is no alternative

IX.

There is (no) suitable alternative to judicial commitment: _____

It is therefore ordered and adjudged that the Respondent be committed to A state mental health facility (for treatment facilities - to be admitted at such time as the Director determines that adequate facilities and services are available); said commitment to remain in effect for 90 (not to exceed ninety) days, unless terminated earlier as provided by law.

SO ORDERED AND ADJUDGED, this the 7th day of April 2004

000019

Michael H. Lloyd
(LAWYER FOR RESPONDENT)

Jaqueline Este Mash
(CHANCELLOR)

It is further ordered, adjudged and decreed that the cost of this cause in the amount of \$ 80.00, be and they shall be paid by Itawamba County for all of which let attachment, garnishment and other processess of this court issue.

It is further ordered, adjudged and decreed that the following entities and amounts be paid:

_____. \$ _____
MASTER

_____. \$ _____
PHYSICIAN

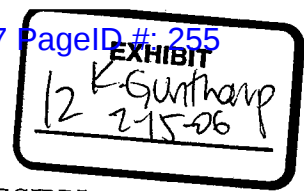
_____. \$ _____
PHYSICIAN

Michele H. Floyd \$ 100.00
ATTORNEY FOR RESPONDENT

ORDERED, ADJUDGED AND DECREED on this the 7th day
of April, 12 2004

Jacqueline C. Ste...
CHANCELLOR

000020



(3)

IN THE CHANCERY COURT OF ITAWAMBA COUNTY, MISSISSIPPI

IN THE MATTER OF
ELLIOTT GUNTARP
ALLEGED TO BE MENTALLY ILL

CAUSE NO. 2004-0119

AMENDED ORDER OF COMMITMENT

This matter came on for hearing, according to law, and after finding that it has jurisdiction of the parties and the subject matter, the court finds as follows:

1.

That an Order of Commitment was rendered by this Court on April 7, 2004, which committed the Respondent to a state mental health facility, and the Respondent is in the Itawamba County jail awaiting an available bed at the state mental health facility.

2.

That the Respondent is a United States Veteran and can be treated at the Veterans' Hospital in Jackson, Mississippi.

3.

That it would be in the best interest of the Respondent to have transportation to a state mental health facility withheld pending his successful completion of treatment at the Veterans' Hospital in Jackson, Mississippi, being that he can be immediately treated at the Veterans' Hospital.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that transportation to a state mental health facility be withheld pending successful completion of treatment at the Veterans' Hospital in Jackson, Mississippi; that the Respondent be transported to said Veterans' Hospital; that should the Respondent fail to successfully complete treatment at said Veterans' Hospital that transportation to a state mental health facility be immediately reinstated; and that all

000021

Filed


Recorded in M.B.
HMA/MSFC Clerk

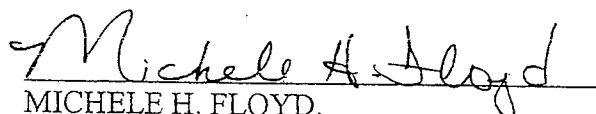
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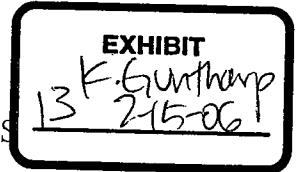
other conditions of that Order of Commitment dated April 7, 2004 are to remain in full force and effect.

SO ORDERED, ADJUDGED AND DECREED this the 8th day of April, 2004.


JACQUELINE ESTES MASK,
CHANCELLOR


MICHELE H. FLOYD,
ATTORNEY FOR RESPONDENT

000027



IN THE CHANCERY COURT OF ITAWAMBA COUNTY, MISSISS

IN THE MATTER OF
ELLIOTT GUNTARP
ALLEGED TO BE MENTALLY ILL

CAUSE NO. 2004-0119

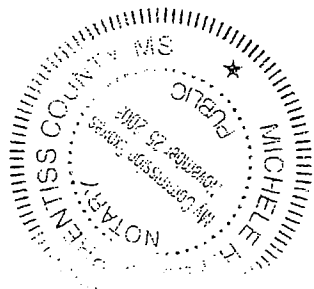
AGREEMENT AND RELEASE

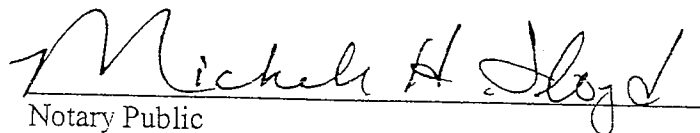
I, Phyllis Guntharp, hereby acknowledge that my son, Elliott Guntharp, can receive transportation to the Veterans' Hospital in Jackson, Mississippi by the Itawamba County Sheriff's Department. I also acknowledge that I am releasing the Itawamba County Sheriff's Department from this duty and desire to provide transportation for my son, Elliott Guntharp. I hereby further agree to relinquish and hold harmless, Itawamba County, Mississippi, its agents, employees and representatives, from any cause of action, whatsoever, that may arise as a result of my providing my son with transportation to the Veterans' Hospital in Jackson, Mississippi.

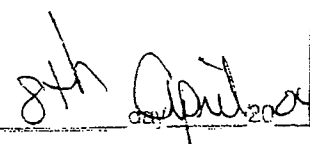
WITNESS MY SIGNATURE on this the 8th day of April, 2004.


PHYLLIS GUNTARP

SWORN TO AND SUBSCRIBED before me on this the 8th day of April, 2004.




Notary Public

Filed  8th April 2004

Recorded in M.B. _____ page _____
JIM WITT, Clerk

000023